

TO: The Honorable Board of Supervisors

FROM: B. Clayton Goodman, III, County Administrator *BCG*  
L. Carol Edmonds, Assistant County Administrator *LC*

DATE: September 22, 2008

SUBJECT: AGENDA REPORT

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**I. CALL TO ORDER**

**II. INTO CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Agency on Aging
2. Juvenile Detention Commission
3. Office on Youth Advisory Board
4. Parks and Recreation Commission
5. Towing Advisory Board

(7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Boundary Adjustment -Town of Blacksburg

### **III. OUT OF CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

### **IV. CERTIFICATION OF CLOSED MEETING**

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

### **V. INVOCATION**

### **VI. PLEDGE OF ALLEGIANCE**

## VII. PUBLIC HEARINGS

### A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the Current Section of the Roanoke Times on September 7 and September 14, 2008 and in the News Messenger on September 6 and September 13, 2008:

1. Amend Ordinance - Central Absentee Voting Election Precinct  
**Proposed Ordinance Amending the Use of the Central Absentee Voting Election Precinct by Providing for a Central Absentee Voting Election Precinct in All Elections.** See TAB A for a copy of the amended ordinance.

The following public hearings were advertised pursuant to law in the Current Section of the Roanoke Times on August 27, 2008 and September 3, 2008:

2. Rezoning Request - Thomas A. & Penny L. Taylor and Charles A. & Margaret Taylor

**A request by Thomas A. & Penny L. Taylor and Charles A. & Margaret Taylor to rezone approximately 2.3 acres from Agriculture (A-1) to Residential (R-3), with possible proffered conditions, to allow residential single family dwelling.** The maximum allowed density in the proposed zoning district is nine (9) dwelling units per acre. The parcel(s) are located at 2971 Peppers Ferry Road, and are identified as Tax Parcel No(s). 064-A-141, 141E (Acct #'s 019068, 029370) in the Riner Magisterial District (District B). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre. See TAB B.

3. Special Use Permit - Charles A. Margaret Taylor

**A request by Charles A. & Margaret Taylor, for a Special Use Permit (SUP) on approximately 1.479 acres in a Residential (R-3) zoning district to allow a Class A (doublewide) Manufactured Home.** The property is located at 2971 Peppers Ferry Road, and is identified as Tax Parcel No(s). 064-A-141 (Acct #'s 019068) in the Riner Magisterial District (District B). The property currently lies in an area designated as Rural in the Comprehensive Plan. See TAB B.

4. Special Use Permit – Ellett Valley Development – Withdrawn by Applicant

A request by Ellett Valley Development, (Agent: Gay & Neel) for a Special Use Permit (SUP) on approximately 11.62 acres in a Community Business (CB) zoning district to allow 14 single family dwelling units. The property is located on the East Side of Cascades Road 500 feet southwest of the Mid Pine Rd/Cascades Rd intersection. See TAB C for a copy of the Planning Commission recommendation letter to deny request and the Applicant's letter of withdraw.

5. Special Use Permit – Charles Lewis Wheeling (Agent: NTelos) – Telecommunications Tower

A request by Charles Lewis Wheeling, (Agent: NTelos) for a Special Use Permit (SUP) on approximately 24.19 acres in an Agriculture (A-1) zoning district to allow a 130' telecommunication tower. The property is located at 174 Friendship Road, and is identified as Tax Parcel No(s). 82-A-158 (Acct No. 028687), in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan. See TAB D.

6. Special Use Permit – Sarah M. Wall Life Estate (Agent: NTelos) – Telecommunications Tower

A request by Sarah M. Wall, Life Estate, (Agent: NTelos) for a Special Use Permit (SUP) on approximately 64 acres in an Agriculture (A-1) zoning district to allow a 130' telecommunication tower. The property is located at 1483 Matamoros Lane, and is identified as Tax Parcel No(s). 52-A-100 (Acct No. 020270), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Resource Stewardship in the Comprehensive Plan. See TAB E.

VIII. PUBLIC ADDRESS

IX. ADDENDUM

X. CONSENT AGENDA

**XI. INTO WORK SESSION**

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Bond Financing Summary and Investment ( TAB G )
2. Budget Reduction and Escrow Requests ( TAB H )
3. School Operating Funds – Carryover Funds ( TAB I )
4. Legislative Priorities – 2009 ( TAB J )

**XII. OUT OF WORK SESSION**

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

**XIII. COUNTY ATTORNEY'S REPORT**

**XIV. COUNTY ADMINISTRATOR'S REPORT**

1. Survey Pins – Property on Cole Road (SR 741) ( TAB K )
2. First Meeting in October - October 13<sup>th</sup> or 14<sup>th</sup>

**XV. BOARD MEMBERS' REPORT**

1. Supervisor Brown
2. Supervisor Biggs
3. Supervisor Politis
4. Supervisor Muffo
5. Supervisor Creed
6. Supervisor Marrs
7. Supervisor Perkins

**XVI. OTHER BUSINESS**

## **XVII. ADJOURNMENT**

### **FUTURE MEETINGS**

Regular Meeting

**Tuesday, October 14, 2008**

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda

Adjourned Meeting

Monday, October 27, 2008

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda

Regular Meeting

**Wednesday, November 13, 2008**

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda

Adjourned Meeting

Monday, November 24, 2008

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda

Regular Meeting

Monday, December 15, 2008

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda